



#35/F

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continued Prosecution Application of:

Goto *et al.*

Appl. No.: 09/338,063

Filed: June 23, 1999

For: **Novel Proteins and Methods for
Producing the Proteins**

Art Unit: 1644

Examiner: Ewoldt, G.

Atty. Docket: 16991.005

Response to Office Action

RECEIVED

OCT 11 2002

TECH CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated April 9, 2002, (Paper Number 31), Applicants submit the following amendments and remarks.

In the Specification

BEFORE "Industrial availability," and AFTER the text inserted in the preliminary amendment dated May 2, 2001, on page 86, line 4, please add the following:

The hybridomas will be maintained in a public depository for a term of at least 30 years and at least five years after the most recent request for the furnishing of a sample of the deposit is received by the depository. In any case, samples will be stored under agreements that would make them available beyond the enforceable life of any patent issuing from the above-referenced application.

In the Claims

Please amend claim 49 as follows:

~~Don't~~ 11/17/02
OK to Enter SPE

F